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Attorneys for Defendants  
NATIONAL RAILROAD PASSENGER CORPORATION  
dba AMTRAK, JONATHAN STASKA, DENISE HOGG,  
and MICHAEL JOHN TORRENCE, and BNSF RAILWAY  
COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

RANDY LEE HALL,

Plaintiff,

v.

NATIONAL RAILROAD PASSENGER  
CORPORATION ("AMTRAK");  
JONATHAN STASKA, Engineer Driver;  
DENISE HOGG, Conductor; MICHAEL  
JOHN TORRENCE, Assistant Conductor,  
BNSF RAILWAY COMPANY; and  
DOES 1 through 50 inclusive,

Defendants.

Case No. 3:19-cv-02312-WHA

**DEFENDANTS' STATEMENT RE: FURTHER  
ORDER RE: VACCINATION STATUS**

Hon. William H. Alsup

Trial: December 6, 2021

DEFENDANTS' STATEMENT RE FURTHER  
ORDER RE: VACCINATION STATUS  
CASE NO. 3:19-CV-02312-WHA

1 In response to the Court's Further Order re Vaccination Status (Doc. 179), defendants  
2 submit the following statement.

- 3 • Defense counsel Vince Castillo and Alexei Offill-Klein are vaccinated and will  
4 present proof of their vaccination status.
- 5 • Amtrak's representatives Pat Mostasisa and Sheldon Wong are vaccinated and will  
6 present proof of their vaccination status.
- 7 • Defense witness Jonathan Staska is vaccinated and will present proof of his  
8 vaccination status.
- 9 • Defense witness Brian Heikkila is unvaccinated.

10 Michael Torrence is no longer an Amtrak employee and defendants do not know whether  
11 Mr. Torrence is vaccinated. Per the Court's order on defendants' motion for summary judgment,  
12 all claims against Michael Torrence have been dismissed, and he is no longer a party to this  
13 action. [Doc. 152.] Mr. Torrence is not identified in defendants' witness list, and defendants have  
14 no intention of calling Mr. Torrence to testify at trial. It is plaintiff who has identified Mr.  
15 Torrence in his witness list. Plaintiff did not depose Mr. Torrence.

16 Defendants have no information that plaintiff has served Mr. Torrence with a trial  
17 subpoena. But even if plaintiff had, Mr. Torrence could have no information relevant to plaintiff's  
18 claims. As stated in the Court's order on defendants' summary judgment motion, the Amtrak  
19 conductors, including now-former Amtrak employee Mr. Torrence, were attending to their duties  
20 in the passenger cars [Doc. 152, 3:28 - 4:9.] and necessarily could have no information relevant to  
21 plaintiff's claims.

22 Respectfully submitted,

23 Dated: November 17, 2021

24 ALLEN, GLAESSNER,  
25 HAZELWOOD & WERTH, LLP

26 By: /s/ Vincent Castillo  
27 Vincent Castillo  
28 Alexei N. Offill-Klein  
Attorneys for Defendants  
NATIONAL RAILROAD PASSENGER  
CORPORATION dba AMTRAK,  
JONATHAN STASKA, DENISE HOGG, and  
MICHAEL JOHN TORRENCE, and BNSF  
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